

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

AUTO-OWNERS INSURANCE COMPANY,)	
<i>Plaintiff,</i>)	
)	
vs.)	1:14-cv-01512-JMS-DML
)	
WILLIAM L. HARGRAVE, <i>et al.</i> ,)	
<i>Defendants.</i>)	

ORDER

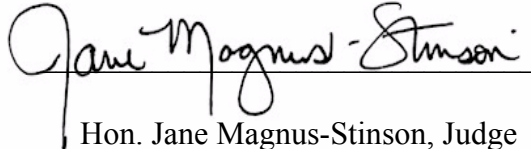
Plaintiff filed its Complaint in federal court alleging that this Court has diversity jurisdiction over this matter. [[Filing No. 1 at 1.](#)] The Court must independently determine whether proper diversity among the parties exists. [Thomas v. Guardsmark, LLC, 487 F.3d 531, 533 \(7th Cir. 2007\)](#). For the following reason, the Court cannot conclude whether diversity jurisdiction exists.

Plaintiff sets forth the citizenship of certain Defendants based “[u]pon information and belief.” [[Filing No. 1 at 2.](#)] But jurisdictional allegations must be made on personal knowledge, not on information and belief, to invoke the subject matter jurisdiction of a federal court. *See America’s Best Inns, Inc. v. Best Inns of Abilene, L.P.*, 980 F.2d 1072, 1074 (7th Cir. 1992) (only a statement about jurisdiction “made on personal knowledge has any value” and a statement made “to the best of my knowledge and belief” is insufficient” to engage diversity jurisdiction “because it says nothing about citizenship”); [Page v. Wright, 116 F.2d 449, 451 \(7th Cir. 1940\)](#) (an allegation of a party’s citizenship for diversity purposes that is “made only upon information and belief” is unsupported).

Accordingly, the Court **ORDERS** Plaintiff to conduct whatever investigation is necessary and file an Amended Complaint that properly alleges diversity jurisdiction by **October 6, 2014**.

Defendant should wait for the filing of the amended complaint before he files any responsive pleading.

September 22, 2014


Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

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